



**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, March 14, 2023
6:30 PM**

1. CALL TO ORDER, MAYOR CHRIS VINCENT

Mayor Chris Vincent called the meeting to order at 6:34 p.m. Also present were Vice Mayor Edmund Malkoon, Commissioner Alfred “Buz” Oldaker, Commissioner Theo Pouloupoulos, Commissioner Randy Strauss, Town Manager Linda Connors, Town Attorney Susan Trevarthen, Deputy Town Manager/Public Works Director Ken Rubach, Assistant to the Town Manager Courtney Easley, Director of Budget and Finance Lucila Lang, Development Services Director Jhanelle Campbell, Special Events and Marketing Manager Debbie Hime, and Town Clerk Katrina Adler.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

All present observed a moment of silence.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

None.

5. PRESENTATIONS

a. Sol Street

Lisa Smith, founder of Sol Street, explained that this company manufactures solar street-charging furniture. She had first given a presentation to the Town Commission shortly before the onset of the COVID-19 pandemic in 2020.

Ms. Smith explained that Sol Street’s furniture is made of weatherproof aluminum and rated to withstand a wind load of 100 miles per hour (mph), although items would be removed prior to a weather emergency event. The items do not require electrical trenching, can seat up to six adults, and include simple instructions. LED and/or e-ink advertising panels accompany the items as well.

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Ms. Smith advised that the panels can be used for emergency messaging to the community. The furniture is flexible, portable, and independent of the electrical grid. She recommended installation at the Town's designated ride-sharing stop, noting that while the Town does not permit advertising, it could be dedicated to Uber and Lyft advertisement only.

Mayor Vincent asked if issues related to notices of attachment (NOAs) for South Florida Building Code have been resolved. These issues prevented the installation of this street furniture without appropriate documentation. Ms. Smith replied that the furniture is rated for a wind load of 120 mph in Florida. She advised that the items would be removed prior to a hurricane and replaced afterward so residents may use solar charging.

Mayor Vincent also noted that the items could not be placed at bus stops, as those belong to Broward County. The Town would need to identify appropriate locations for placement.

Ms. Smith added that she may make a similar presentation to Broward County, as Sol Street has implemented its items in some bus shelters. Lauderdale-By-The-Sea would be the first South Florida location where solar charging furniture is installed. The items include batteries in the base as well as bifacial charging panels.

Vice Mayor Malkoon requested additional information on costs. Ms. Smith stated that the items may be sold to the Town, with Sol Street overseeing advertising and maintenance. The base cost is \$25,000. If another entity such as a ride-sharing business supports the installation at a rate of \$2000/month, this could significantly defray costs. Sol Street's revenue stream is based primarily on advertising.

Mayor Vincent observed that the ride-sharing stop has yet to be formally designated as such, as the Town is working through details with Uber and Lyft.

b. Grant Update

Assistant to the Town Manager Courtney Easley recalled that the Town has not aggressively pursued grants in recent years due to limited Staff. With new grant funding opportunities available at the federal and state levels, however, Staff has identified an opportunity to seek a grant writer. A request for proposal (RFP) was issued for this position in November 2022, although there were no submissions at that time. Since then, the Town has identified an entity based in Jupiter, Florida, RMPK Funding Group.

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This business has worked with several local municipalities and has a proven history of securing funding.

Staff has met with RMPK Funding Group and discussed some of the available grant dollars that could be used to address current or proposed Town projects, including the Town's Community Center, a proposed new Fire Station, seawall construction, and energy efficiency.

Some grants may take up to two years to respond or provide funding, which means it is important that the Town begin this process as soon as possible in anticipation of future projects. Some projects proposed for fiscal year (FY) 2024-2025 may be eligible for grant funds.

The Town has budgeted \$25,000 for grant writing, with the intent of paying the group on a per-grant basis. Once a grant has been received, payment would be sent to RMPK Funding Group.

Commissioner Pouloupoulos asked if this payment arrangement meant the Town would not learn the cost of the grant until grant funding has been received. Assistant to the Town Manager Easley explained that RMPK has a pay scale for different types of grants. Once the Town has begun receiving grant funds, Staff could develop a contract for RMPK's management of grants, which would come before the Commission for approval.

Commissioner Pouloupoulos recommended working with RMPK on one to two grants, with costs clarified up-front. If these processes are successful, the Town could proceed with more regular use of the company.

Mayor Vincent asked if any of the grant funds that may be secured could be used for payment of the grant writer(s). Assistant to the Town Manager Easley explained that some grants include grant writers' fees, which means RMPK would not charge the Town in those cases if they are awarded the grant.

Town Manager Linda Connors advised that there is currently funding in the Town's budget for a grant related to seawall maintenance. If the Town moves forward to apply for this grant, they could be reimbursed for some of the spending that has already occurred. This may apply to other grants as well.

6. PUBLIC COMMENTS

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At this time Mayor Vincent opened public comment.

Howard Goldberg, resident, announced that the Chamber of Commerce requests additional parking for its annual Fish Fry, which is scheduled for March 31, 2023. He provided the Commissioners with additional information on the event. Roughly 200 attendees are expected, and a Police presence may be necessary on El Mar Drive.

Town Manager Connors noted that the Chamber of Commerce's request is included in the Town Manager Report as well, including a proposed parking schematic.

With no other individuals wishing to speak at this time, Mayor Vincent closed public comment.

7. PUBLIC SAFETY DISCUSSION

None.

8. TOWN MANAGER REPORT

a. Town Manager Report for March 14, 2023

Town Manager Connors reported that the previously approved Kids By The Sea event, which was scheduled for April 29, 2023, will be moved to September 2023 in order to avoid conflict with Fleet Week.

The Broward Sheriff's Office (BSO) and the Town's Public Works Department have prepared for spring break, establishing an emergency access lane on the beach. BSO will provide an enhanced security detail Downtown.

Cable provider Comcast has installed new fiber line, which is being tested to ensure it is in good working condition. Members of the public have already reported improvements in the sound and video quality of Town meetings.

The Public Works Department has worked to see that the Town received a 2022 Tree City USA designation. Town Manager Connors recognized Tiana Ganswith and Mike Walker of Town Staff for their efforts.

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There has been positive feedback following the Town's first two reinstated Friday Night Music events. The next event will be held on April 14, 2023.

March 1, 2023 marked the beginning of sea turtle nesting season. All residents are asked to ensure their regular lights are not left on at night if they are close to the beach, and are reminded not to disturb sea turtle nests and to properly dispose of trash on the beach to prevent hazards to nestlings.

Florida Senate Bill (SB) 102, which addresses affordable housing, has been approved by the State Senate. Town Manager Connors and Planner Susan Leven have worked closely with the Town's lobbying team to ensure the Town's height restriction is protected by amendments that may be attached to the bill.

Town Manager Connors addressed the Chamber of Commerce Fish Fry, explaining that the Town's recommendation is for public parking in front of the Plunge Hotel on either side of El Mar Drive. This would add approximately 20 parking spaces for the event. The Chamber of Commerce has not contacted Town Staff regarding the number of expected attendees, nor have they gone through regular event procedures to determine how other aspects of the event might be addressed. Town Manager Connors advised that Town Staff can reach out to Mr. Goldberg regarding attendance and ticket sales, and will coordinate with Public Works and BSO. The Commissioners agreed by consensus to open up the additional 20 parking spaces as requested.

Vice Mayor Malkoon thanked Town Manager Connors and Town Staff for working with the Town's lobbying team regarding SB 102.

Town Attorney Susan Trevarthen advised that a great deal of proposed legislation in 2023 would potentially harm local governments throughout Florida, of which SB 102 is only one example. Lauderdale-By-The-Sea and other local governments are working to ensure the State Legislature understands the impact these proposed changes would have on Florida municipalities.

Mayor Vincent commented that the Friday Night Music events have been very successful thus far and have received overwhelming support from the public.

b. January 2023 Finance Report

Director of Budget and Finance Lucila Lang presented the January 2023 Finance Report.

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Commissioner Oldaker asked if the Town has conducted any analysis that would show increased revenues from these music events, such as parking revenues, which could offset expenses. Director of Budget and Finance Lang noted a year-over-year increase of 36.46% in January 2023.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

a. Approval of Minutes:

- 2-14-23 Special Commission Meeting Minutes
- 2-14-23 Regular Commission Meeting Minutes
- 1-10-23 Regular Commission Meeting Minutes

Commissioner Oldaker made a motion, seconded by Commissioner Poulopoulos, to approve all three. Motion carried 5-0.

11. CONSENT AGENDA

None.

12. OLD BUSINESS

None.

13. NEW BUSINESS

None.

14. COMMISSIONER COMMENTS

Commissioner Strauss and Mayor Vincent wished all present a safe and happy St. Patrick's Day holiday.

Commissioner Oldaker thanked Town Staff for their work on the Friday Night Music events.

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Vice Mayor Malkoon advised that the committee preparing for the Town's 75th anniversary continues to meet and refine dates associated with this event. He added that he would like a presentation on the upcoming event in the future.

15. ORDINANCES 1ST READING

None.

16. ORDINANCES 2ND READING

None.

17. RESOLUTIONS – PUBLIC COMMENTS

- a. Resolution 2023-15 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A FORM PARTICIPATION AGREEMENT WITH BROWARD COUNTY TO USE BROWARD COUNTY'S PUBLICLY ACCESSIBLE WEBSITE TO PUBLISH LEGAL NOTICES; PROVIDING FOR EXECUTION, IMPLEMENTATION, AND AN EFFECTIVE DATE

At this time Mayor Vincent opened public comment, which he closed upon receiving no input.

Commissioner Oldaker made a motion, seconded by Commissioner Strauss, to approve. Motion carried 5-0.

- b. Resolution 2023-16 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A WORK AUTHORIZATION WITH BAXTER & WOODMAN, INC. FOR CONSTRUCTION MANAGEMENT SERVICES RELATED TO THE CODRINGTON DRIVE PROJECT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE WORK AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

At this time Mayor Vincent opened public comment, which he closed upon receiving no input.

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Deputy Town Manager/Public Works Director Ken Rubach explained that the Town has been able to save significant funds by leveraging the skills and abilities of part-time engineers on-site during the construction process, where they can verify any changes that may be necessary. Baxter and Woodman, Inc. provided the design for the Codrington Drive project and will also perform structural inspections, sign and seal the plans when completed, provide any clarifications, and issue any change orders.

Commissioner Oldaker requested an update on community participation with regard to this project. Deputy Town Manager/Public Works Director Rubach replied that there have been four community meetings and have heard a strong community response. The project is advancing smoothly and is expected to begin at the end of March/beginning of April 2023.

Mayor Vincent requested additional information regarding project mobilization on Thomas Way. Deputy Town Manager/Public Works Director Rubach advised that roughly half of Thomas Way is being used to store materials and equipment. Residents on Thomas Way will retain access to their driveways. This information has been posted on social media and notice will be delivered to residents in the area.

Vice Mayor Malkoon made a motion, seconded by Commissioner Pouloupoulos, to approve. Motion carried 5-0.

- c. Resolution 2023-17 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A PIGGYBACK AGREEMENT WITH CIRCUIT TRANSIT INC. FOR THE PROVISION OF POINT TO POINT TRANSPORTATION SERVICES WITHIN THE TOWN, UTILIZING THE TERMS AND CONDITIONS OF THE CITY OF POMPANO BEACH AGREEMENT AWARDED PURSUANT TO RFP P-29-20; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE PIGGYBACK AGREEMENT, PROVIDING FOR IMPLEMENTATION, AND PROVIDING FOR AN EFFECTIVE DATE.**

At this time Mayor Vincent opened public comment, which he closed upon receiving no input.

Town Manager Connors explained that the Town has been working to determine how it can best provide additional transportation services for residents. In recent years,

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ridership of the Pelican Hopper declined significantly, which made the service no longer cost-effective. This also indicated that the Pelican Hopper did not provide the service residents needed.

At the February 28, 2023 meeting, the Commission voted to wind down Pelican Hopper service; however, it was agreed that the Town needs some type of service for residents and visitors. Staff recommends consideration of Circuit, which provides “microtransit” service in Pompano Beach and other local municipalities. This service operates via mobile app: users can call it to their addresses and it will pick them up and transport them within Lauderdale-By-The-Sea.

Town Manager Connors continued that Circuit provides an all-weather, all-electric vehicle that seats six passengers, including the driver. The Town anticipates a social media campaign to ensure residents are aware of the service. She also hopes to work with the Community Center to inform the participants of classes about this service.

The Town has budgeted \$200,000 for Circuit. While total costs are slightly over this amount, the Town does not expect to spend all these funds in the current fiscal year. Staff is looking for grant opportunities that would cover Circuit service. Town Manager Connors has also scheduled a meeting with the Broward Metropolitan Planning Organization (MPO) regarding the potential use of Broward County surtax funds, which were previously allocated to the Pelican Hopper, for Circuit service. Circuit is compatible with the requirements of the Americans with Disabilities Act (ADA). Staff recommends approval of the program.

Mayor Vincent noted that the Town does not have any other projects that would be eligible for the use of surtax dollars. Deputy Town Manager/Public Works Director Rubach advised that he is a member of the subcommittee that addresses surtax projects and has advocated for the use of surtax funding for transportation opportunities such as Circuit, particularly in beachfront communities.

Vice Mayor Malkoon observed that some residents have relied on Pelican Hopper service to access Holy Cross Hospital, and asked if the Town can assist them. Town Manager Connors replied that there are existing Broward County programs for riders who have challenges or limits to transportation access, such as Broward County Transit’s (BCT’s) Transportation Options (TOPS) program. Information on these services can be made available for residents who need access to Holy Cross Hospital.

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Vice Mayor Malkoon also asked where Circuit's electric vehicles would be charged. It was clarified that the vehicles can use any Level II public charging infrastructure, including sources in Lauderdale-By-The-Sea. Circuit can also install their own charging station if necessary, possibly using grant funds.

Vice Mayor Malkoon asked if riders can see the estimated time of arrival (ETA) of Circuit vehicles. It was confirmed that the app includes wait time information, which can be adjusted in real time if necessary. Circuit has provided over 10,000 rides per month in Pompano Beach using three vehicles. An ADA-accessible vehicle is available on standby if requested.

Mayor Vincent asked if Circuit service is comparable to ride-sharing services such as Uber or Lyft. It was clarified that the user experience through the mobile app is similar. Users can also wave down Circuit vehicles if that is part of the Town's agreement with the vendor. The average wait time is approximately 10 to 12 minutes. A monthly data report reflecting number of rides and riders, demographic information, common pickup and drop-off locations, and average wait times can be shared with the Town.

Circuit may also designate regular pickup and drop-off locations and identify these places as approved areas in order to ensure the flow of traffic is not disturbed and safety precautions are taken. Drivers are employees of Circuit rather than contractors.

Commissioner Pouloupoulos asked if Circuit will honor the terms of its contract with Pompano Beach in terms of honoring insurance carriage. This was confirmed.

Commissioner Pouloupoulos made a motion, seconded by Commissioner Oldaker, to approve. Motion carried 5-0.

18. QUASI JUDICIAL PUBLIC HEARINGS

None.

19. ADJOURNMENT

Town Manager Connors advised that the Town has received several calls from residents regarding its tennis courts. She emphasized that there are no plans to remove the tennis courts and replace them with pickleball courts as has been rumored. One tennis court is also striped for pickleball, which is not expected to change.

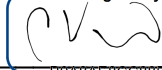
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Town Manager Connors added that there have also been calls expressing concern with the presence of boaters near the pier. This is because the owner of the pier has been asked to clean up its debris, which is being done by boat. A benthic survey is also being conducted around the pier by boat as well.

Mayor Vincent asked if use of "spotters" is recommended when boats are working near the pier to keep the public from mistakenly believing the pier is open and accessible. BSO Captain Tom Palmer replied that he did not believe this was necessary. It was determined that the Town would continue to monitor the situation for any changes.

With no other business to come before the Commission at this time, the meeting was adjourned at 7:38 p.m.

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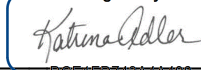


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Mayor Chris Vincent

ATTEST:

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Town Clerk

4/4/2023

Date